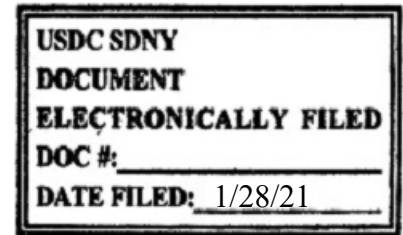


**XUE & ASSOCIATES, P.C.**

1 SCHOOL STREET, SUITE 303A  
GLEN COVE, NY 11542  
PHONE: (516) 595-8887  
FACSIMILE: (212) 219-2276



BENJAMIN B. XUE  
MEMBER OF NY & NJ BARS

MICHAEL S. ROMERO  
MEMBER OF NY BAR

**MEMO ENDORSED**

January 27, 2021

**Via ECF**

Hon. Barbara Moses U.S.M.J.  
Daniel Patrick Moynihan Courthouse  
500 Pearl Street, Courtroom 20A  
New York, NY 10007

**Re: Ke v. J.R. Sushi 2 Inc. et al.**  
**Case No: 1:19-cv-07332**

Application GRANTED. The Famous Sichuan Defendants' motion for summary judgment is deemed WITHDRAWN, without prejudice to renewal after the close of discovery. The Clerk of Court is respectfully directed to close the motion at Dkt. No. 74. SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses".

Barbara Moses, U.S.M.J.  
January 28, 2021

Dear Judge Moses:

This office represents Defendants Famous Sichuan New York Inc. ("Famous Sichuan"), Ruifeng Yang, and Zi Wang (collectively "Famous Sichuan Defendants") in the above captioned action.

On or January 22, 2021. Your Honor indicated that the Court would only allow Famous Sichuan Defendants to move for summary judgment once. Though Famous Sichuan Defendants believe Plaintiff has not properly made a claim against Famous Sichuan Defendants. We hereby withdraw the Motion without prejudice to renew after the close of discovery.

Thank you for your time and consideration in this matter.

Respectfully submitted,

/Benjamin B. Xue/

Benjamin B. Xue